

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UTILITY PATENT APPLICATION TRANSMITTAL

A

ASSISTANT COMMISSIONER OF PATENTS  
Box Patent Application  
Washington, D.C. 20231

02-08-01

Attorney Docket No. 13054.01600

Prior Application Number:

Art Unit:

Examiner:

PTO Customer Number:

Sir:

Transmitted herewith for filing is a utility patent application of

Francis C. Szoka, Jr., 45 Mendoza Avenue, San Francisco, CA 94116

Xin Guo,

J1036 U.S. PTO  
09/778388  
02/07/01

for: pH SENSITIVE LIPIDS BASED ON ORTHO ESTER LINKERS, COMPOSITION AND  
METHOD

ENCLOSED are the following:

- Specification, abstract and claims of \_\_\_ pages.
- 19 sheets of \_\_\_ formal  informal drawings  No drawings.
- Declaration (original or copy) by the named inventor(s) - unsigned
- Preliminary Amendment
- Information Disclosure Statement
- Other: Request And Certification Under 35 U.S.C. 122(b)(2)(B)(i).

NOTE the following:

- Applicant is a small entity. - 50% Filing Fee Reduction (if applicable)
- The prior application is assigned to
- This application is a:  
 Continuation  Divisional  Continuation-in-Part (CIP) of Prior Application

Filed:

- Priority of the following application(s) is (are) claimed under 35 U.S.C. 119:

Serial No.	Date Filed	Country	Certified Copy of Priority Doc. Filed	USSN or PCT#	Date

- An Extension of Time is filed concurrently herewith for the parent application.
- Cancel claims \_\_\_\_\_ prior to calculation of the filing fee.

**FILING FEE:** calculated below (after accounting for any preliminary amendment or claims cancellations if noted above):

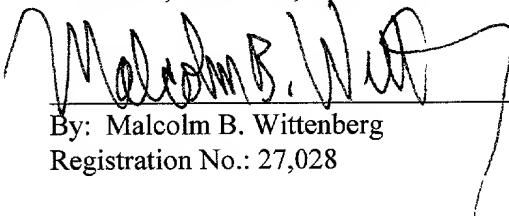
<input checked="" type="checkbox"/>	Total Claims	52	Total Claims Subject to Fees: 32	\$576.00
<input checked="" type="checkbox"/>	Independent Claims	6	Total Claims Subject to Fees: 3	\$240.00
<input type="checkbox"/>	Multiple Dependent Claims			\$
<input checked="" type="checkbox"/>	Basic Filing Fee			\$710.00
<input type="checkbox"/>	Extension Fees			\$
	Sub-Total			\$1,526.00
<input checked="" type="checkbox"/>	Less Small Entity Fee Reduction			\$763.00
<input type="checkbox"/>	Assignment Recordal Fees			\$
	Total Fees			\$763.00

Check(s) no. \_\_\_\_ in the amount of \$\_\_\_\_ is enclosed (must at least cover the basic fee). If no check or an insufficient check is enclosed and a fee is due herewith, the Commissioner is authorized to charge any fee or additional fee due in connection herewith to Deposit Account No. 03-3821, referencing Attorney Docket No. 13043.01600. A duplicate of this sheet is enclosed.

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or 1.17 to Deposit Account No. 03-3821, referencing Attorney Docket No. 13054.01600. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

CROSBY, HEAFY, ROACH & MAY



By: Malcolm B. Wittenberg  
Registration No.: 27,028

Date: February 7, 2001

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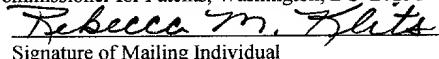
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I hereby certify that this paper or fee is being deposited with the United States Postal Service By "Express Mail Post Office Addressee" Service under 37 CFR 1.19 on the date indicated Above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231

Rebecca M. Klits

Name of Mailing Individual



Signature of Mailing Individual

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Francis C. Szoka, Jr.
Title	pH Sensitive Lipids Based On Ortho Ester Linkers, Composition And Method
Atty Docket Number	13054.01600

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 7, 2001

Date

Signature

Malcolm B. Wittenberg

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231